

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MICHELLE FRANKLIN
*Individually and on Behalf of the Estate and
Wrongful Death Beneficiaries of Agnes Franklin*

PLAINTIFF

v.

CIVIL ACTION NO. 3:18CV0196-NBB-JMV

GGNSC Southaven LLC, ET AL.

DEFENDANTS

ORDER STAYING CERTAIN PROCEEDINGS

This case comes before the Court pursuant to L.U.CIV.R. 16(b)(1)(B). The rule provides that

[a] motion to remand . . . will stay the attorney conference and disclosure requirements and all discovery not relevant to the remand . . . issue and will stay the parties' obligation to make disclosures pending the court's ruling on the [remand] motion[. . . .

Plaintiff filed a motion to remand [20], challenging whether this Court has subject-matter jurisdiction over the case, on October 12, 2018. Prior to the filing of that motion, Defendants had filed a motion to stay all non-arbitration related discovery [14] in connection with their motion to dismiss and for leave to conduct arbitration related discovery [4] (currently pending before the district judge). Because the Court must determine whether it has jurisdiction over this action before it addresses the arbitration issue, Defendants' motion to stay all non-arbitration related discovery [14] is hereby **DENIED** as premature. However, the proceedings enumerated in Local Rule 16(b)(1)(B) are, nevertheless, **STAYED** pending a decision on the motion to remand. Defendants may reurge their motion to stay all non-arbitration related discovery in the event the motion to remand is denied.

THIS, the 17th day of October, 2018.

/s/ Jane M. Virden

U. S. Magistrate Judge